

MAYOR  
Hal J. Rose

DEPUTY MAYOR  
John Dittmore

COUNCIL MEMBERS  
Daniel Batchelder  
Pat Bentley  
Adam Gaffney  
Barbara A. Smith  
Andrea Young



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www.westmelbourne.org

To: Mayor Rose, Members of the City Council,  
Department Heads and Subscribers

From: Scott Morgan, City Manager

A handwritten signature in blue ink that reads "Scott Morgan".

Date: January 10, 2020

Subject: Friday Memo

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### Introduction

This Friday Memo is for the week of January 6 through January 10. Anyone wanting to be added to the distribution list may contact Tammy Neal at 837-7771 or [tneal@westmelbourne.org](mailto:tneal@westmelbourne.org). As always, if there are any questions or comments on items described in this memo, or on any other City matter, please call.

### Meeting with County Fire Officials

On Tuesday morning, City Attorney Morris Richardson and I met with top County fire officials to understand more about their services to West Melbourne and surrounding areas.

### Police Employee Recognitions

On Tuesday evening, I attended the quarterly employee recognition ceremony at the Police Department.

### WMBA Luncheon

On Wednesday afternoon, I was the guest speaker for the monthly West Melbourne Business Association luncheon at Buena Vida Estates. The presentation was on highlights from 2019 and a look ahead into City plans for 2020.

### Meeting with School Board Capital Planning Managers

On Wednesday afternoon, Planning Director Christy Fischer and I met with capital improvement planning officials from the Brevard County School Board to learn of their plans for renovating, improving and making more reliable the air conditioning for the three schools along Wingate. This coming Monday afternoon, I will be attending a municipal advisory group meeting that makes certain planning recommendations to the School Board.

### Census 2020 Complete Count Committee

On Tuesday afternoon, I will be attending the next meeting of the local Brevard County group working with the Census Bureau to seek to get a good local response to the upcoming Census.

Final 2019-2020 Citizens Leadership Academy Class Next Week

The sixth class session for West Melbourne's 2019-2020 citizen leadership academy was held on Wednesday evening. The session was on planning, building and code enforcement. The seventh and final class session will start at 4:45 p.m. this coming Wednesday January 15. That session will be held at the Public Works Department, 1415 Henry Avenue. The final session will be about public works, engineering and capital projects, and will include a tour of the sewer plant.

EDC Economic Forecast

Next Thursday evening, I will be attending the Space Coast EDC economic forecast at Port Canaveral.

Space Coast City Managers

Next Friday afternoon, I will be attending the monthly luncheon of the local city and county managers group.

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- Attachments:
1. January and February Monthly Calendars.
  2. Six Month City Council Agenda Planning Calendar.
  3. Departmental Friday Memos.

# January 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1  New Year's Day Offices Closed	2	3	4
5	6	7	8  11:15 Greater Palm Bay Chamber of Commerce  11:30 West Melbourne Business Assoc  6:00 Parks & Rec Advisory Bd	9  7:00 a.m. Melbourne Regional Chamber Business Breakfast  6:30 Charter Review Committee	10	11
12	13  7:00 Space Coast League of Cities Dinner	14  6:30 Planning & Zoning Bd - cancelled	15	16  5:30 Code Enf Bd	17	18
19	20  Martin Luther King Jr Day Offices Closed	21  6:30 City Council	22	23  7:00 Bd of Adjustment	24  5:00 Food Truck Friday	25
26	27	28	29  9:00 Police Officers Retirement Bd	30	31	

February 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 7:00 Space Coast League of Cities Dinner	4 6:30 City Council	5 11:15 Greater Palm Bay Chamber of Commerce	6 7:00 a.m. Melbourne Regional Chamber Business Breakfast	7	8
9	10	11	12 11:30 West Melbourne Business Assoc  6:30 Planning & Zoning Bd	13 6:30 Charter Review Committee	14	15
16	17 <b>President's Day Offices Closed</b>	18 6:30 City Council	19	20 5:30 Code Enf Bd	21 5:00 Food Truck Friday	22
23	24 6:30 Business Adv Bd	25	26	27 7:00 Bd of Adjustment	28	29

Six Month City Council Agenda Planning Calendar

Council Date	Presentations/Workshops/Ceremonies/Public Hearings	Consent/Action Items/Management Reports
21-Jan Regular Meeting 6:30 p.m.	Introduction of New Employees - Lead Mechanic Robert Simcox (Mark), Customer Service Rep Kayla Penders (Margi), Maintenance Workers Raymond Parker and Timothy Laskovich, and Recreation Worker David Campbell (Rich), and Police Officer Rafael Benitez (Rick)  Presentation - 2019 Year in Review (Mayor Rose)  Public Hearing - Second Reading Extraterritorial Transportation Facility Impact Ordinance (Morris)	2019 Annual Police Department Report (Rick) (mgmt reports)  Accept the Dedication and Bill of Sale for Final Phase Sawgrass Lakes Water and Sewer Improvements (Morris) (consent)  Purchase of Signage for New School Zone Along Imagine Way (Mark) (consent)  Extension of Time on Cash Bond for Heritage Pointe Commercial Parcel Improvements (Christy) (consent)
4-Feb Regular Meeting 6:30 p.m.	Presentation - ABC Volunteer of the Year (Mayor Rose)  Presentation of Certificates of Graduation to 2019-2020 Citizen Leadership Academy Graduates (Mayor Rose)	Resolution Allocating Transportation Impact Fees for Roadway Improvement Projects and Amending 2019-2020 Capital Improvement Project Budgets (Scott) (action)  First Quarter 2019-2020 Budget Status Report (Margi) (consent)
18-Feb Regular Meeting 6:30 p.m.	Proclamation - March as Irish-American Heritage Month (Cynthia)	Reappointment of Pat Bentley and/or Scott Morgan or Appointment Otherwise of One or Two City Residents to West Melbourne Police Officers Pension Board of Trustees for Four Year Terms (Cynthia) (action)  Fiscal Year 2018-2019 Comprehensive Annual Financial Report (Margi) (action)
3-Mar CRA Meeting 6:00 p.m.		CRA Annual Report (Christy) (CRA)
3-Mar Regular Meeting 6:30 p.m.	Proclamation - April as Water Conservation Month (Cynthia)  Public Hearing - First Reading of Food Truck Ordinance (Christy)	Council Receipt of Annual CRA Report (Christy) (consent)  Selection of Banking Institution for Servicing City Accounts (Margi) (action)  Award of Bid - Veterans Memorial Complex Irrigation and Landscaping Project (Keith) (action)  Award of Construction Bid - Expansion and Remodel of Office and Reroof of Park Maintenance Building at West Melbourne Community Park (Keith) (action)  Acceptance of the Fell Road Right-of-Way Between Max K. Rodes Park and the Minton Road Right-of-Way from Brevard County (Scott) (action)  Modification of Interlocal Agreement with Brevard County for Energy Cost Sharing of Proposed New FP&L Street Lighting Along the West Side of Minton Road from Henry to Just South of Flanagan (Scott) (action)  Extension of Interlocal Agreement with Brevard County for Installation and Maintenance of SCAT Bus Shelters (Scott) (consent)
17-Mar	No Council Meeting - Presidential Preference Primary Election	

Six Month City Council Agenda Planning Calendar

Council Date	Presentations/Workshops/Ceremonies/Public Hearings	Consent/Action Items/Management Reports
7-Apr Workshop 5:30 p.m.	Workshop - Annual Update of City Council's Near-Term Strategic Priorities for Fiscal Year 2020-2021 Budget Development (Scott)	
7-Apr Regular Meeting 6:30 p.m.	Public Hearing - Possible Vacation of Entirety of Espanola Way West of Carolina Street Should Property Not Be Needed for Possible City Well Site or Partial Vacation Reserving Easement for Needed City Well Site (Christy)  Public Hearing - Second Reading of Food Truck Ordinance (Christy)	Award of Construction Bid - Extension of Heritage Oaks and Doherty (Keith) (action)  Award of Construction Bid - M-1 Canal Water Main (Keith) (action)
21-Apr Regular Meeting 6:30 p.m.		Quarterly Statistical Report for Police Department (Rick) (mgmt reports)  Second Quarter 2019-2020 Budget Status Report (Margi) (consent)
5-May Workshop 5:30 p.m.	Workshop - Strategic Priorities Refinement, Draft 2020-2021 Revenue Budget, Five Year Vehicle Replacement Plan Update, and Five Year Street Maintenance Plan Update (Scott)	
5-May Regular Meeting 6:30 p.m.		
19-May CRA Meeting 6:00 p.m.		Preliminary 2020-2021 CRA Budget (Scott) (CRA)
19-May Regular Meeting 6:30 p.m.		
2-Jun Workshop 5:30 p.m.	Workshop - Proposed Fiscal Year 2020-2021 Capital Improvement Projects (Scott)	
2-Jun Regular Meeting 6:30 p.m.		
16-Jun Regular Meeting 6:30 p.m.		

MAYOR  
Hal J. Rose

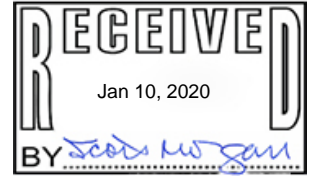
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Attachment 3

Legal Department  
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To: Mayor Rose and Members of the City Council  
Through: Scott Morgan, City Manager  
From: Morris Richardson, City Attorney **MR**  
Date: January 10, 2020  
Subject: Friday Memo

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The Legal Department Friday Memo provides news and information on legal issues affecting the City. If you have any questions regarding this report, please contact me.

### **SYLVAN ESTATES SEPTIC-TO-SEWER PROJECT**

The City is in the process of converting individual septic tanks to the City's sewer system in the Sylvan Estates subdivision. Unlike septic systems, a gravity sewer system is very low maintenance for homeowners and is significantly better for the environment. Connecting to the sewer system typically increases property values as well.

Over 95% of the construction cost of this project will be reimbursed to the City through grants from the Save Our Indian River Lagoon half-cent sales tax fund and the St. Johns River Water Management District. At the time of this report, the contractor, Atlantic Development, has set the wet well for the lift station and the first manhole, and the project is progressing on schedule.

While the public sewer improvements are being constructed, the contractor will also construct a sewer lateral for each private property owner on Sylvan Drive, perform all work necessary to abandon the existing septic system, and will connect the new lateral to the existing plumbing at no cost to the homeowner. Once construction is completed and sewer is available, all Sylvan Drive residents will be required to connect to the sewer system pursuant to Florida Statutes § 381.00655 and Section 90-8 of the City Code of Ordinances. Connecting to the City's sewer system is very affordable compared to maintaining, and eventually replacing, aging septic systems.

In order to construct the sewer laterals on the homeowners' private property, the City required each homeowner to execute a Temporary Construction Easement and Sewer Lateral Connection Facilities Maintenance Agreement. Today, we received the last of these, and agreements are now in place for every one of the 59 homes that will receive sewer service as a result of this project.

### **ISO RATING MEETING**

On Tuesday morning, the City Manager and I met with Brevard County Public Safety Director Matt Wallace, Brevard County Fire Chief Mark Schollmeyer, and Assistant Fire Marshal Doug Carter to discuss the process and impacts associated with the Insurance Service Office's ("ISO") Public Protection Classification. The County officials agreed to request that ISO consider West Melbourne independently when it conducts its next Public Protection Classification survey.

## **BOARD OF ADJUSTMENT**

Recently, I have received several inquiries about the City's Board of Adjustment. Generally speaking, boards of adjustment (sometimes known as zoning boards of appeal) are administrative bodies, with no power to legislate. Boards of adjustment may not amend or repeal zoning codes or land development regulations, or rezone property. Rather, boards of adjustment are provided for by ordinance to address situations where strict adherence to the local code would result in a special hardship to a particular property owner.

Thus, boards of adjustment are authorized to adjust the inequities of a zoning ordinance by granting variances in connection with codes regulating setback lines, area and height restrictions, and the like. Some boards of adjustment are also charged with considering conditional use permits (also referred to as use by special exception), and hearing appeals from decisions made by the local planning and zoning board.

In West Melbourne, the Board of Adjustment is authorized to hear and decide appeals from decisions made by the Planning and Zoning Board, to hear and decide applications for conditional uses including site plans requiring conditional use approval, and to consider requests for variances. Article XIV, Section 2(a), City Charter; Sec, 66-117, City Code.

Hearings of the Board of Adjustment are quasi-judicial in nature. "*Quasi-judicial* refers to a land use, zoning or building related permit or appeal ... in which city officials give notice and an opportunity to be heard to certain substantially affected persons, investigate facts, ascertain the existence of facts, hold hearings, weigh evidence, draw conclusions from the facts, and apply the law to the facts, as the basis for their decision." Sec. 66-61, City Code. In quasi-judicial hearings, formal rules of evidence do not apply, but fundamental due process must be observed. *Carillon Community Residential v. Seminole County*, 45 So. 3d 7 (Fla. 5th DCA 2010).

An appeal of a decision of the Board of Adjustment must be filed with the City Clerk within 30 days of such decision and specify the law and facts on which the appeal is based. The appeal is heard and decided by the City Council. Article XIV, Section 2(d), City Charter; Sec, 66-122, City Code.



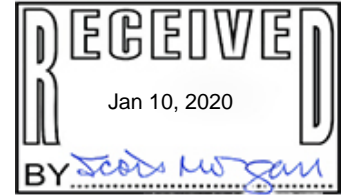
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To: Scott Morgan, City Manager

From: Thomas Forbes, Building Official

Date: January 10, 2020

Friday Memo / Building Department

Weekly activity summary for the Building Department

**Building:**

There were 3 building permits issued for new single family residences and a total of 50 permits issued this period.

**Commercial Project Update:**

The following commercial projects have had permits issued and are in various stages of construction:

- Promise in Brevard Bakery & Café, 3000 Minton Road (West Melbourne Community Park), 7,100 sq. ft. new construction.
- West Melbourne Police Station, 2290 Minton Road, 9,489 sq. ft. addition. (Addition completed, remodel is in progress)
- Apollo Surgery Center, 375 W. New Haven Avenue, 9,150 sq. ft. (second floor), tenant build out.
- Aventine Apartments, 4515 Durham Drive, 379,594 sq. ft. new construction.
- Pineapple Daycare, 4125 Minton Road, 12,614 sq. ft. new construction.
- Dr. Priyanka, interior alteration of medical offices, 2,500 sq. ft.
- The Springs at Hibiscus, 288 unit apartment complex, 12 apartment buildings, clubhouse and ancillary buildings, total square footage 338,952.
- Carlton of West Melbourne, Hollywood Boulevard, 15-3 story apartment buildings, clubhouse and ancillary structures.
- Housman Aluminum, 7724 Matrix Way, 6,000 sq. ft. office/warehouse, new construction. (temporary C.O. issued)
- The Oasis at West Melbourne Apartments, John Rodes Boulevard, 10-3 story apartment buildings, clubhouse and ancillary structures.
- Sprengergarten, 2825 Eber Road, new construction of a 5,624 sq. ft. events building and a 6,000 sq. ft. maintenance building.
- B & M Property Holdings, LLC, 7600 Technology Drive, 22,500 sq. ft. warehouse.
- Publix, 2261 W. New Haven Avenue, interior renovation.
- Olive Garden, 2508 W. New Haven Avenue, interior renovation.

- YourLife of West Melbourne, NE corner of Minton Road and Heritage Oaks Boulevard, 60,000 sq. ft. new construction.
- Extended Stay America, 4450 Hollywood Boulevard, 53,857 sq. ft. hotel, new construction.
- Shannon Plaza, 149 Shannon Avenue, 8,908 sq. ft. new construction.
- FP&L storm shelter, 9001 Ellis Road, 1,056 sq. ft. new construction.
- IHOP, 855 Palm Bay Road, 4,974 sq. ft. interior build-out of new restaurant.

Building Inspections conducted from 01/06/20 to 01/10/20 totaled 254

New Permit applications received from 01/06/20 to 01/10/20 totaled 42

- 4 new single family residence permits.

**Status of Commercial projects submitted for review:**

- City of West Melbourne Maintenance building addition, permits ready to issue.
- Cloud Nine Smokeshop, 350 S. Wickham Road, interior renovation, review complete, awaiting revised plans.
- Audi Display Tower, 2260 Coastal Lane, 403 sq. ft., 3 story structure, permit ready to issue pending approved site plan.
- Extended Stay America, Coastal Commerce Center, 53,857 sq. ft. 4 story hotel, 2<sup>nd</sup> review complete, awaiting revised plans.
- Design of the Times (florist shop), 2394 Minton Road, 3,959 sq. ft. new construction, review complete, awaiting revised plans.
- Hammond's Kitchen, 7705 Matrix Way, 9,000 sq. ft. new construction, review complete, awaiting revised plans.
- Palm Crossings Plaza, 145 Palm Bay Road, 2,133 sq. ft. new construction, review complete, awaiting revised plans.
- Cilantro Express, 725-B S. Wickham Road, 1,250 sq. ft. interior renovation, review complete, awaiting revised plans.
- Crunch Fitness, 1275 W. New Haven Avenue (old Toys-R-Us), 45,000 sq. ft. interior renovation, review complete, awaiting revised plans.
- Tru Hotel by Hilton, W. New Haven Avenue, 45,611 sq. ft. new construction, review underway.
- RaceTrac, 465 S. Wickham Road, 5,411 sq. ft. new construction, plans submitted, review underway.
- Kracken Guard Technologies, 7755 Ellis Road, 13,500 sq. ft. interior build-out, plans submitted.

**Code Enforcement:**

The next Code Enforcement Board meeting will be January 16, 2020 at 5:30 p.m.

There were a total of 33 illegal signs removed from the right of way during the past week.

There was a total of 1 new code enforcement cases opened this week; additionally 4 existing cases were closed this past week in compliance.

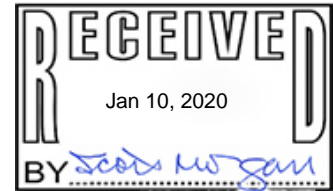
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### UPDATE

TO: Scott Morgan, City Manager  
PREPARED BY: Christy Fischer, Planning Director  
DATE: January 10, 2020  
SUBJECT: Planning Department Update

A handwritten signature in blue ink that reads "Christy Fischer".

*Sams Liquefied Petroleum service* – A portion of the property located at 9075 Ellis Road is proposed to have a liquefied petroleum service of propane business. The property is zoned General Industrial, M-2, in our city limits and the applicant submitted a conceptual site plan that shows a 30,000 gallon LP tank and a storage area for smaller tanks to be delivered to a customer.

The proposed use requires a conditional use permit approval by the City's Board of Adjustment (this board is separate from City Council). The first public hearing was held on December 18, 2019 and the Board of Adjustment voted to postpone the item until January 23, 2020 to obtain more information from the applicant about their operation. This additional information should be submitted shortly. Citizens from The Falls at Sheridan neighborhood who have been submitting their statements regarding this proposal are being made part of the record. Staff is responding to citizen emails, thanking them for their input and providing the following information regarding the upcoming public hearing:

Board of Adjustment public hearing: January 23, 2020  
Meeting location: 2285 Minton Road (City Council Chambers)  
Meeting time: 7:00 pm

If the item is appealed by an affected party, the appeal would be heard by City Council.

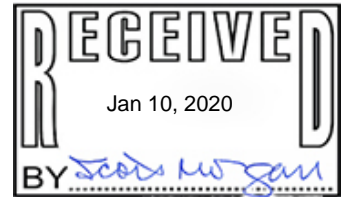
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To: Scott Morgan, City Manager  
From: Mark Piccirillo, Director of Public Works  
Date: January 10, 2020  
Subject: This Week in Public Works

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Public Works would like to take this time to congratulate Logan Davis on his promotion from Maintenance Worker to Equipment Operator. The Equipment Operator position became vacant when a long-time employee retired. The City is in the process now of filling the vacant Maintenance Worker position.



The Public Works Streets and Drainage Department was assisted by the Water Department in utilizing the valve exerciser to clean out a stormwater box located off McClain Drive. The valve exerciser removed muck from the bottom of the concrete box, exposing the inlet and outflow pipes that needed repointing.



The Public Works Water Department completed 206 work orders this week and responded to a 2-inch water main leak at the Veterans Memorial Complex that they repaired. The service line supplied the racquetball restrooms, and did not affect the rest of the building. They also completed installing new water service meters at The Preserves at Heritage Oaks, and will be moving into the Castle Oaks neighborhood over the weekend.



On Tuesday, Crew Leader Jason Higgins, who is assisting with CDL training, and Equipment Operator Oadian O'Connor, went to the Truck Driver Institute located in Sanford for Oadian's class "A" Commercial Driver's License test. The test consisted of a pre-trip inspection, a static course, and an 'on the road' driving test. Oadian successfully passed, and will be obtaining his new CDL class "A" license from the DMV.



The Sewer Department Jacobs completed 222 work orders and 13 sewer inspections this week. They inspected the progress on the CIP of Septic to Sewer in Sylvan Estates and installed a new top belt on the belt filter press due to wear on the old belt.



Jacobs started a ‘Sustainability Project’ by having their operators lay down unusable old belts from the belt filter press to serve as a weed control barrier around the new disc filter. They layered rocks on top of the old belts which will assist in eliminating the need to mow or weed around the disc filter. This action will save time and money, and not contribute to filling the local landfill with old belts because they have now been recycled.



The City’s contractor, Insituform Technologies, started working in the City for this year’s fiscal CIP of u-lining gravity sewer lines on South Lakewood Drive and Dorchester Avenue. Insituform is continuing from where they left off from last fiscal year CIP to transition into this year’s schedule.



This week was the start of the annual inspections for all the Food Service Establishments in the City to have their grease traps inspected as part of updating the City’s Fats, Oils, and Greases (FOG) program participant’s activities. An inventory of all grease removal systems operating within the West Melbourne sewer service area was developed as of July 1, 2013. Keeping the inventory up to date requires a site visit to all food service establishments to verify the number and size of the grease removal systems operating in the City of West Melbourne. The site visit is not an inspection, and there is no charge to food service establishments for the site visit.

This past week, they responded to two lift stations reporting a starter stop fault alarm at the Veterans Memorial Complex and at Garrett’s Run Condominiums. After inspecting the pumps, it was discovered that both pumps were clogged with rags, thus causing the alarms. The pumps were cleaned, and both lift stations are back in service.

